S.B. CIVIL MISC. APPEAL NO. 306/2001

Date : 10.03.2006

HON'BLE MR. BHAGWATI PRASAD,J.

Mr. Rajesh Panwar for the appellant
Mr. N.S. Bhati for respondent claimants.
Mr. L.D.Khatri for the respondent driver.

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Heard.

This appeal came up before this Court against the judgment and award dated 08.12.2000 passed by the Motor Accident Claims Tribunal, Jaisalmer challenging the liability fastened by the tribunal upon the appellant.

During the course of arguments, the learned counsel for the appellant as well as the learned counsel appearing for respondent claimants agreed to settle the matter in the spirit of compromise to the extent that the appellant will deposit Rs. 1,50,000/- instead of total awarded amount of Rs. 1,95,000/- in all within three months from today. The learned counsel appearing for appellant also stated that the appellant has already deposited Rs. 25,000/- under Section 173 of the Motor Vehicle Act, 1988 in favour of respondent claimants and therefore, the appellant is now required to deposit Rs. 1,25,000/- only.

In view of above, this appeal is disposed of in the manner that the appellant will deposit Rs. 1,25,000/- before the Motor Accident Claims Tribunal, Jaisalmer within three months from today and the amount deposited

shall be paid to the claimants. If the appellant fails to deposit Rs. 1,25,000/- within the stipulated period, the appeal shall stand dismissed.

(BHAGWATI PRASAD), J.